



**UNITED STATES DEPARTMENT OF COMMERCE
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/491,672 01/26/00 HANNAH

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WM02/0119
Blakely, Sokoloff, Taylor & Zafman LLP
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Los Angeles CA 90025

EXAMINER

HSIA, S

ART UNIT

PAPER NUMBER

2614

DATE MAILED:

01/19/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.

09/491,672

Applicant(s)

HANNAH, ERIC C.

Examiner

Sherrie Hsia

Art Unit

2614

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-45 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1,2,8-11,23-26 and 31-40 is/are rejected.
- 7) ☒ Claim(s) 3-7,12-16 and 27-30 is/are objected to.
- 8) ☐ Claims ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. & 119(e).

Attachment(s)

- 15) ☒ Notice of References Cited (PTO-892) ✓
- 16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 17) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____.
- 18) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 19) ☐ Notice of Informal Patent Application (PTO-152)
- 20) ☐ Other: .

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1. The original patent, or an affidavit or declaration as to loss or inaccessibility of the original patent, must be received before this reissue application can be allowed. See 37 CFR 1.178.
2. Applicant is notified that any subsequent amendment to the specification and/or claims must comply with 37 CFR 1.121(b).
3. The abstract of the disclosure does not commence on a separate sheet in accordance with 37 CFR 1.52(b)(1). A new abstract of the disclosure is required and must be presented on a separate sheet, apart from any other text.
4. The disclosure is objected to because of the following informalities:
A statement reading "This is a continuation of Application No. 08/638,528, filed April 26, 1996, Patent No. 5,614,948." as stated in the original patent should be entered following the title of the invention or as the first sentence of the specification. A new specification should be submitted with the change.
5. The claims are objected to because the claims do not commence on a separate sheet in accordance with 37 CFR 1.75(h). New claims are required and must be presented on a separate sheet, apart from any other text.

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6. Claims 34-40 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 34 recites the limitation "the camera" in line 4. There is insufficient antecedent basis for this limitation in the claim.

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

OR

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

Claims 23, 25, 26, 31 are rejected under 35 U.S.C. 102(b) as being anticipated by Hamon.

Hamon discloses a synch responsive AGC utilizing A-D converter having the claimed features including an amplifier (10) which applies more than one gain level to the image and a processor (20, 18) (see Figs. 1 and 2 and accompanying text).

8. Claims 1, 2, 8, 9, 11, 23-26, 31, 32, 34 and 35 are rejected under 35 U.S.C. 102(e) as being anticipated by Suzuki.

Suzuki discloses an image sensing method and apparatus having the claimed features

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including a sensor (4), an amplifier (30) which applies more than one gain level to the image and a processor (12) (see Figs. 1, 9, 12 and accompanying text).

9. Claims 1, 2, 8-10, 11, 23-26 and 31-35 are rejected under 35 U.S.C. 102(b) as being anticipated by Takahashi.

Takahashi discloses an image sensing apparatus having the claimed features including a A sensor (144), an amplifier (149) which applies more than one gain level to the image and a processor (161) (see Figs. 20, 22, 24 and accompanying text).

10. Claims 36-40 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

11. Claims 3-7, 12-16 and 27-30 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

12. Claims 17-22 and 41-45 are allowable over prior art.

13. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

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Naoi discloses a dynamic noise reduction circuit for image luminance signal having a clamp circuit, and low and high frequency amplifiers.

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sherrie Hsia whose telephone number is (703) 305-4738. The examiner can normally be reached on Monday-Thursday from 9:30 AM to 7:00 PM. The examiner can also be reached on alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Reinhard Eisenzopf can be reached on (703) 305-4711.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4700.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231


Or faxed to:

(703) 308-6306, (for formal communications intended for entry)

Or:

(703) 308-6306 (for informal or draft communications, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).


Sherrie Hsia
Primary Examiner
Art Unit 2614

SH
January 16, 2001